



# Health and Social Care Act 2008

## 2008 CHAPTER 14

### PART 1

#### THE CARE QUALITY COMMISSION

### CHAPTER 2

#### REGISTRATION IN RESPECT OF PROVISION OF HEALTH OR SOCIAL CARE

#### *Miscellaneous*

### **39 Bodies required to be notified of certain matters**

- (1) Where the Commission gives a notice to which this section applies in respect of a regulated activity, it must give a copy of the notice—
- (a) to such Primary Care Trust or English local authority as may be determined in accordance with regulations,
  - (b) where the person registered as a service provider in respect of the activity is a Primary Care Trust or National Health Service trust, to such Strategic Health Authority as may be so determined,
  - (c) where the person registered as a service provider in respect of the activity is an NHS foundation trust, to the Independent Regulator of NHS Foundation Trusts, and
  - (d) to such other persons as the Commission considers appropriate.
- (2) This section applies to the following notices—
- (a) a notice under section 26 (notice of proposals),
  - (b) a notice under subsection (1) or (3) of section 28 (notice of decisions),
  - (c) a warning notice under section 29 (warning notice), and
  - (d) a notice under section 31 (urgent procedure for suspension, variation etc.).

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*Status: Point in time view as at 01/10/2010. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 39. (See end of Document for details)*

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- (3) The Commission must notify each of the persons mentioned in subsection (1)(a) to (d) of either of the following events in relation to a person registered under this Chapter—
- (a) the payment of a penalty in accordance with a penalty notice issued under section 86, or
  - (b) the commencement of proceedings in respect of a Part 1 offence.
- (4) Regulations may prescribe cases in which subsection (1) or (3) does not apply.

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**Modifications etc. (not altering text)**

- C1** S. 39(1) excluded (E.) (1.4.2009) by [Health and Social Care Act 2008 \(Registration of Regulated Activities\) Regulations 2009 \(S.I. 2009/660\)](#), regs. 1(1), **9**
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**Commencement Information**

- I1** S. 39 partly in force; S. 39 in force for specified purposes at Royal Assent, see s. 170
- I2** S. 39 in force at 1.4.2009 for specified purposes by [S.I. 2009/462](#), art. 2, **Sch. 1 para. 15**
- I3** S. 39 in force at 1.10.2010 in so far as not already in force by [S.I. 2010/807](#), art. 2(2), **Sch. 1 para. 25** (with [Pt. 3](#))

**Status:**

Point in time view as at 01/10/2010. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 39.